

APR 27 2005

7

Serial Number: 10/008,917

Art Unit: 3621

amendments are made to improve their form and readability. No new matter has been introduced.

Art Rejection

1. The following is a basis for all of what Applicant submits on the Examiner's obviousness rejections:

Claims 1-18 were rejected under 35 U.S.C. § 103 as being unpatentable over Clark (US-6,343,280) in view of Subler et al (US-5,646,992) or Shin et al (US-5,987,134).

Looking back at the time of invention, unique user characteristic data have been conventionally based on static features such as fingerprints, passwords, hardware serial numbers, hostnames, and network addresses. In contrast, file systems, on which the claimed invention relies on, are dynamic by nature. File systems change every time users create or delete files and folders. Human fingerprints have been used for identifying people, because they don't change over time. Likewise, it is static features that have been used, in this art, as a basis of unique user characteristic data, and there has been no known method for using dynamic file systems, at the time of invention. In addition, none of the applied references have suggested or motivated persons having ordinary skill in this art to rely on file systems to generate key data. Accordingly, what was obvious or expected for the persons was that file systems are too unreliable, inappropriate, or impractical as a basis of unique user characteristic data. In other words, in the first place, using file systems as a basis of unique user characteristic data was a technical challenge, at the time of invention.

The claimed invention offers a solution for the above problem of reliably using dynamic file systems, through unprecedented use of update of key data, as in amended claim 1 (or in the cancelled original claim 8), in

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